

As from
this hour
You use your
power,
The World
must follow.
you

THE INDUSTRIAL ORGANIZER

Official Organ of Motor Transport and Allied Workers Industrial Union Local 544-CIO
MINNEAPOLIS OFFICE: 9TH ST. AND 12TH AVE. S.

Stand all as
one
Till right
is done!
Believe and
dare and do!

VOL. 1, NO. 22

MINNEAPOLIS, MINN., SATURDAY, DECEMBER 13, 1941

FIVE CENTS

18 Defendants Get Sentences Totaling 22 Years

All Freed on Bail; CaseAppealed to Circuit Court

Blair's Ruling Against 544-CIO Being Reviewed

As we go to press, the District Court in Ramsey County has begun the long-awaited probe into the dishonest ruling of former State Labor Conciliator Blair against the Minneapolis drivers. The Stassen-Blair ruling has thus far prevented the drivers from choosing through democratic elections their union bargaining agent.

Union attorneys Gilbert Carlson and D. F. Shama, together with officials of 544-CIO, are presenting the evidence to the court against the shameful Blair decision which denied democracy to the drivers and violated Stassen's own Slave Labor Law.

The hearing is expected to last several days. Watch for a full report of the court hearing in next week's INDUSTRIAL ORGANIZER.

CIO Head Calls for Mass Meetings to Protest Smith Bill

President Philip Murray Criticizes Stassen-Ball Bill—Poll-Taxers Lead Fight Against Labor

As the United States this week became formally a participant in the Second World War, the CIO movement continued its mobilization to defeat the various anti-labor bills under consideration by Congress. Worst of the boss bills, that sponsored by poll-taxer Howard Smith, has passed their House, 225 to 136, on the combined votes of New Dealers and Republicans.

Moving to halt the bill in the Senate, CIO President Murray urged every affiliated CIO body to deluge the Senate with wires and letters of protest against the anti-labor bills. He summoned the CIO to hold mass meetings throughout the land to protest Wall Street's program to strangle the American union movement.

The Smith Bill would force compulsory arbitration on a union through a 90-day "cooling off" period, would freeze the Open Shop, would virtually force unions to incorporate, would permit the bosses to stick their noses in all affairs of the union and thus prepare black lists against the best union men, would prohibit labor solidarity.

Hits Stassen-Ball Bill

In a letter sent all CIO affiliates urging them to action, President Philip Murray also sharply condemned the Ball Bill, introduced by Stassen's senator Joseph Ball.

"The Ball Bill would make illegal any new union shop agreements," Murray said. "The legislative proposals would undermine and eliminate the basic rights and privileges of the American people. Nothing more subversive of American democracy has ever been proposed. . . . The basic constitutional rights guaranteed under our Declaration of Independence and the Constitution of the United States are being threatened. It is your task to protect American democracy, which can be assured only through the defeat of the pending anti-labor legislation before the Senate."

Only Minnesota congressman to vote against the Smith Bill was Pittenger. All others voted in Wall Street's interests, and against organized labor.

Decisive support for the Smith Bill came from the poll-tax South, where 108 of 116 congressmen voted in favor of the measure which would smash the union movement.

Robert Ellis, 17, Son of Cecil, Dies

Labor extends its warm sympathy to Mr. and Mrs. Cecil Ellis, whose son, Robert, 17, passed away at 2 a.m. Friday morning.

Funeral services will be held at the Knaeble Undertaking parlor, 513 Plymouth avenue north.

Captive Miners Win Union Shop Demand

NEW YORK—The 53,000 captive coal miners have won their union shop in the coal mines owned by the Steel Trust. The three-man arbitration board, by a two to one vote, decided for the union shop. President Fairless of U. S. Steel Corporation voted against John L. Lewis and Dr. John Steelman.

The miners' victory was hard-won, coming after three strikes, the union's rejection of a decision of the boss-minded National Defense Mediation Board denying the union shop, and a sharp exchange of letters between miners' president John L. Lewis and President Roosevelt, the latter siding

with the steel corporation. Lewis pointed out the decision justified the position taken by the union throughout the controversy.

The decision of the arbitration board, in the union's favor, was the opposite of that taken by the National Defense Mediation Board.

The captive-miner dispute has been used by the national administration as a springboard from which to launch a series of vicious anti-labor bills against the union movement.

Is Victory for All Labor

Throughout the dispute, it has been generally understood that a miners' victory would have important consequences for the rest of the

union movement, especially the steel workers who are also seeking the union shop from the same bosses who fought the miners.

As the N. Y. TIMES said

Monday, the victory of the coal miners "is expected to give impetus to drives by two other CIO unions for similar recognition in steel company properties. The Steel Workers Organizing Committee is negotiating for a union shop in the steel mills of the Bethlehem Steel company and other Little Steel companies. A similar campaign is being carried on by the Industrial Union of Marine and Shipbuilding Workers in the Bethlehem Steel shipyards."

Resist Tobin Raids Here

Brewery Workers Defend Democracy

Brewery Workers Union Files Charges Against Dictator Tobin with NLRB; Will Also Move Through Courts

The Tobin officials who have launched their reactionary raiding campaign against the Brewery Workers International Union in Minneapolis and St. Paul are due for a real struggle. Officers of the Minneapolis Brewery Workers Union Local 205 announced Thursday they would file charges against the Tobin forces with the National Labor Relations Board.

The brewery workers have obtained restraining orders against Tobin in both Minneapolis and St. Paul. They will also move through the district courts to protect their democratic rights. Charges against Tobin may also be filed with Stassen's state labor conciliator, though little is hoped for from

this source in the way of respect for workers' democracy.

In their efforts to force members of the Brewery Workers International Union into the Tobin outfit, AFL Teamsters appointees in the Twin Cities are acting on direct orders from Dictator Tobin.

Tobin officials admitted in the December 4th issue of the St. Paul UNION ADVOCATE that in its raid against the brewery workers,

"We are acting under direction of the International Union."

Men Want Own Union

The unprincipled raiding campaign has the typical Tobin hallmark. It is carried out against the expressed democratic sentiments of the brewery drivers themselves. In Minneapolis the drivers voted overwhelmingly—447 to 35—to remain with their own union, one of the oldest industrial unions in the nation.

Answer Is Launched

Immediately after sentence had been filed Monday morning, defendants and their friends met in the defense commissary at 919 Marquette avenue and laid plans for the appeal.

In the notice of appeal, filed Friday in District Court, twenty-one grounds for the appeal are listed, the first three of which read that:

"1. The statute, Section II, Title 18, United States Code, for violation of which appellant was convicted, is in violation of Articles I and V of the Amendments to the Constitution of the United States. (These Amendments embody freedom of speech, press and assembly, and that no person shall be subject for the same offense to be twice put in jeopardy.—Ed.)

"2. The application of said statute . . . to the appellant in this case is in violation of the rights guaranteed him by said Articles I and V of the Amendments to the Constitution of the United States.

"3. The Court erred in overruling the motion made by the defendants before the commencement of the trial asking that the Court determine or in the alternative that the Court order the jury to determine the issue as to whether or not at the time the statements, writings, or utterances were made or issued there was a clear and present danger of the existence of the evils sought to be prevented by the statute, or that said statements, writings, or utterances were made, issued or published . . . under . . . circumstances . . . in which there was a clear and present danger of the accomplishment of those evils; or whether there was a clear and present danger of the accomplishment of those evils at the time of the enactment of said statute or at any time thereafter."

While the appeal must be first directed to the Circuit Court of Appeals, the question of the constitutionality of the Smith-Gag Law is so important that the government may permit the appeal to go directly to the United States Supreme Court.

Pull in Your Horns, Dictator Tobin

(Below we reprint an editorial dealing with Dictator Tobin's raid on the Brewery Workers Union, from the December 9th issue of the St. Paul PIONEER PRESS. In St. Paul, as in Minneapolis, Tobin is carrying out his boudoir tactics against the brewery drivers.)

A jurisdictional fight in the AFL has resulted in the picketing of a number of local taverns and in tavern and brewery owners being penalized by the greed and undemocratic action of the International Brotherhood of Teamsters.

The independent Brewery Workers Union has been suspended from the AFL for its refusal to compel beer drivers to join the Teamsters Union. Obviously the brewery workers are satisfied with their present status and should have the right to determine to which union they care to belong. Daniel Tobin, Teamster boss, however, has decided that they must come under his supervision and pay tribute to him.

To accomplish this purpose he has threatened to cut off milk, bread and other deliveries to taverns that are served by the Brewery Workers Union drivers. The tavern owners as a rule have union employees and have complied with the usual union regulations but even so they now are being made the goat in an inter-union fight for power.

The American people are getting tired of this type of high-handed unionism. Certainly no union group should be forced to join and pay tribute to some outside boss against its will. MR. TOBIN SHOULD PULL IN HIS HORNS for the people may not only decide that they do not want his pickets around taverns but they may also decide that if a man has no more important job than picketing a union institution at this time they will furnish him one by resorting to the World War I "work or fight" program.

Twelve Given 18 Months and Six Receive Year and a Day

The eighteen defendants convicted under the Smith Omnibus Gag Law were sentenced Monday by Federal Judge Mathew M. Joyce. Twelve were given 16-month sentences; six were sentenced to serve 12 months, "a year-and-a-day."

Chief Defense Counsel Albert Goldman announced formally to the court the case would be appealed to the higher courts.

The judge released all defendants on their original bail bonds until the appeal is decided. In doing so, Judge Joyce stated he believed "a substantial question of law is to be determined by the appellate court in this case." The reference was taken to indicate the question of the constitutionality of the Smith Gag Law under which the eighteen were convicted.

Friday defense counsel filed its appeal to the United States Circuit Court of Appeals for the Eighth Circuit.

The first twelve defendants called to the bench received the longer sentences of 16 months. They are V. R. Dunne, Carl Skoglund, Farrell Dobbs, James P. Cannon, Felix Morrow, Albert Goldman, Max Geldman, Oscar Coover, Grace Carlson, Jake Cooper, Carlos Hudson and Emil Hansen.

Those given a year-and-a-day are Oscar Schoenfeld, Karl Kuehn, Harry DeBoer, Clarence Hamel, Edward Palmquist and Alfred Russell.

The original bail bonds under which all defendants were released amounted to \$3,500 each for the Local 544-CIO members and \$2,500 for the other defendants. The 544-CIO bail was furnished by the national CIO.

The Civil Rights Defense Committee in conjunction with labor and the American Civil Liberties Union is backing the appeal.

Constitutionality of the Smith Act, which makes the mere expression of opinion a crime, has been widely questioned by legal authorities.

Is Same Smith

Author of the act under which the 18 are the first to be convicted is the same poll-tax Congressman, Howard Smith (Democrat) of Virginia, who sponsored the vicious slave-labor bill passed last week by the House of Representatives and labelled by the CIO as "one of the worst blows ever struck against American labor . . . a horrible combination of blind spite, slaveholders' bigotry, crafty treason, reckless union-busting, utter confusion and sheer stupidity."

Answer Is Launched

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"2. The application of said statute . . . to the appellant in this case is in violation of the rights guaranteed him by said Articles I and V of the Amendments to the Constitution of the United States.

"3. The Court erred in overruling the motion made by the defendants before the commencement of the trial asking that the Court determine or in the alternative that the Court order the jury to determine the issue as to whether or not at the time the statements, writings, or utterances were made or issued there was a clear and present danger of the existence of the evils sought to be prevented by the statute, or that said statements, writings, or utterances were made, issued or published . . . under . . . circumstances . . . in which there was a clear and present danger of the accomplishment of those evils; or whether there was a clear and present danger of the accomplishment of those evils at the time of the enactment of said statute or at any time thereafter."

While the appeal must be first directed to the Circuit Court of Appeals, the question of the constitutionality of the Smith-Gag Law is so important that the government may permit the appeal to go directly to the United States Supreme Court.

Labor Records Of the 18

JAMES P. CANNON:

National Secretary of the Socialist Workers Party. Born in Rosedale, Kansas, 1890. Thirty years of active service in the working class political movement. Indicted for "conspiracy" in 1913 in Peoria, Ill., for organizing the farm equipment workers of the Avery Manufacturing Co. Indicted by the federal government in 1919 in Kansas, under the wartime anti-strike laws for participating in the strike of the coal miners. Those two times he was in jail before bail was raised, but never was tried on the indictments. Nationally known for his leadership in historic strikes and labor trials (Sacco-Vanzetti, etc.) One of labor's greatest orators.

FARRELL DOBBS:

Born 1907, Queen City, Missouri. A planning engineer for Western Electric, he quit a promising technical career when he saw how workers were fired wholesale during the depression. Then sought to enter a university to study the nature of a society which made crises possible. Unable to go through with this plan he became a laborer in Minneapolis coal yards, joined 544, was an organizer and strike leader. As International Organizer of the International Brotherhood of Teamsters, he was the central figures in the brilliant organization of the over-the-road truck drivers in 11 states in the Mid-West, one of the outstanding labor victories of this period. Labor Secretary of the Socialist Workers Party. Married, three children.

ALBERT GOLDMAN:

Brilliant labor lawyer who has defended hundreds of workers and unemployed. Graduate of Chicago public schools and University of Cincinnati. Joined I.W.W. in 1919 at age of 22. Pocket-maker in clothing factories and member of Amalgamated Clothing Workers. Studied law at Northwestern University. Since 1927, specialist in labor defense. Attacked by vigilante mob in Danville, Ill., for defending unemployed in 1932. Defended Norman Mailer in famous Sacramento criminal syndicalism trial in 1934-35. Outstanding writer on socialism and the working class political movement.

V. R. DUNNE:

One of the foremost union leaders in the Northwest. He was born in Kansas City in 1889 and entered the labor movement in 1906, in the Western Federation of Miners, I.W.W. He has been a farm laborer, lumberjack, and truck driver. He was a guiding spirit in the famous 1934 and strikes of Local 544. Minneapolis workers in all industries credit Vincent Dunne as a great leader who helped change Minneapolis from an open shop city to a stronghold of union labor. He is married, has two children.

FELIX MORROW:

Born New York, 1906. Graduate of New York University. Newspaperman, author, historian. Prominent in the working class political movement since 1928. Indicted in 1932, but never tried, in South River, N. J., needle trades strike. As secretary of the Non-Partisan Labor Defense, 1934-1936, he defended numerous labor prisoners. Associate editor, Northwest Organizer, in Minneapolis, (Continued on page 3)

Labor Greets Verdict With Protest Resolutions

Union Support for Defendants Grows

Quakertown CIO Council One of Many Labor Bodies to Protest Trial; Other Union Actions on This Page

QUAKERTOWN, PA. — Accompanying its action with a substantial contribution to the Civil Rights Defense Committee, the Quakertown CIO Industrial Union Council has adopted a resolution protesting the Department of Justice frame-up against leaders of 544-CIO and the Socialist Workers Party. The financial contribution, writes Secretary Howard Stump, to Local 544-CIO was "voted to help defray the expenses of the trial, of your leaders and those of the Socialist Workers Party."

Text of the Quakertown union resolution follows:

"WHEREAS, Minneapolis Local 544-CIO Motor Transport Workers Union, which is the spearhead of the motor transport workers movement of the Northwest, transferred its affiliation by almost unanimous vote from the AFL Teamsters International into the CIO to free itself from the dictatorial racketeering craft union setup of Daniel J. Tobin; and

"WHEREAS, CIO President Philip Murray and other national officers have welcomed this militant progressive union into the CIO as the start of a nation-wide drive to bring democratic industrial unionism to the American motor transport drivers; and

"WHEREAS, Daniel J. Tobin in his campaign of terror against the Minneapolis motor transport workers has been aided by the Department of Justice, which has secured the indictment on 'sedition conspiracy' charges of 28 individuals including the entire leadership of Local 544-CIO as well as members of the Socialist Workers Party; and

"WHEREAS, the CIO, Labor's Non-Partisan League, the United Auto Workers, the American Civil Liberties Union and other labor and liberal organizations have condemned the government

prosecution as a serious threat to civil liberties and labor's rights; and

"WHEREAS, ignoring these WHEREAS, the Department of Justice has put these men on trial in Minneapolis; and

"WHEREAS, the frame-up character of this prosecution is evidenced by the court dismissal of the charges against five of the defendants; therefore

BE IT RESOLVED, That our organization protest against this attempt to deprive the Minneapolis motor transport workers of their democratic rights to join the union of their choice, and we condemn the use of Government agencies to oppress and harass any labor or political organization in the pursuit of their activities; and

BE IT FURTHER RESOLVED, That we call upon the Department of Justice to dismiss the indictments against the 23 remaining defendants in the Minnesota case; and

BE IT FURTHER RESOLVED, That we endorse the work of the CIVIL RIGHTS DEFENSE COMMITTEE, the authorized representative of the 28 defendants; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the local union, the newspapers and the labor press, the national office of the CIO, Local 544-CIO, and Attorney-General Francis Biddle.

QUAKERTOWN INDUSTRIAL UNION COUNCIL

Marine Cooks and Stewards Calls for Aid to Defendants

SAN FRANCISCO — The CIO Marine Cooks & Stewards' Association of the Pacific Coast has adopted a resolution calling upon the U. S. Department of Justice to dismiss the indictments against the 28 defendants in the Minnesota case, and requesting affiliated CIO locals "to give their full moral and financial aid to these 28 defendants."

The Marine Cooks' resolution, after condemning Daniel J. Tobin for his "campaign of terror against the Minneapolis motor transport workers," in which he was "aided by the Department of Justice," concludes:

"...RESOLVED, Our organizations protest against this attempt to deprive the Minneapolis motor transport workers of their democratic rights to join the union of their choice, and we condemn the use of government agencies to oppress and harass any labor or political organization in the pursuit of their activities; and be it further

"RESOLVED, That we call upon the Department of Justice to dismiss the indictments against the 28 defendants in the Minnesota case; and be it further

"RESOLVED, That we request our affiliated locals to give their full moral and financial aid to these 28 defendants; and be it further

"RESOLVED, That copies of this resolution be given the widest publicity in the labor press and that they be sent to the National Office of the CIO, Local 544-CIO, Local 544-CIO, and Attorney General Francis Biddle.

"Adopted by: Marine Cooks & Stewards' Association of the Pacific Coast, CIO, at the Headquarters Regular Meeting, Thursday, November 27, 1941."

Card of Thanks

To Local 544-CIO:
Gratefully acknowledging and
thank you for your kind ex-
pression of sympathy.
—Charles H. Brett and family.

For him who fain would teach the
world:
The world holds hate in fee—
For Socrates the hemlock cup;
For Christ, Gethsemane;
—DON MARQUIS, WAGES

Students in Chicago Back Appeal

CHICAGO — Maynard Krueger, Socialist Party vice-presidential candidate, last week made a stirring appeal for active aid in behalf of the 18 recently convicted defendants in the Minneapolis "conspiracy" case, at a students' meeting on the University of Chicago campus.

Pointing out the dire threat to free speech implied in the convictions, Mr. Krueger posed to both "interventionists" and "non-interventionists" the problem of reconciling their respective positions on the war with non-support of the case.

"Why do you favor participation in the war?" Krueger asked the interventionists, "if not because you think it necessary in order to preserve democratic processes and civil liberties?"

He demanded of non-interventionists "What, if not the preservation of those same democratic processes?" could be the basis of their opposition to entrance into the war.

Professor Malcolm Sharp analyzed the legal aspects of the case, stating that the Smith Act of 1940 was so loosely worded as to lend itself to grave abuses.

Contribute to Appeal

A collection of \$10 was turned over to the Chicago CIVIL RIGHTS DEFENSE COMMITTEE by the Committee to Fight Domestic Fascism, under whose auspices the meeting was held. The Committee to Fight Domestic Fascism, a campus organization, has expressed its determination to work toward the liberation of the defendants and the invalidation or amendment of the Smith Act under which they were convicted.

ON WAR AND PEACE

"It is always best on these occasions to do as the mob does." "But suppose there are two mobs," suggested Mr. Snodgrass. "Shout with the largest," replied Mr. Pickwick.

—CHARLES DICKENS.

Appeal of Verdict Here Backed by Labor Press

See Labor's Rights, Civil Liberties Threatened

Denunciation of the verdict in the Minneapolis "sedition" case as a blow to civil liberties and labor's rights appears throughout the American labor press this week. Below we reprint editorial comment on the case from several labor papers:

Freedom of Speech

(From the December 6, 1941, issue of INDUSTRIAL WORKER, organ of the I.W.W.)

A late news bulletin informs us that 18 of the 23 defendants in the Minneapolis "sedition conspiracy" trial have been found guilty. This verdict is worth more editorial attention than we are able to give it now.

These 18 persons, members of the Trotskyist Socialist Workers Party, were convicted on account of their opinions expressed in speech and writing. Moreover, a good deal of the "evidence" against them consisted of loosely reported alleged conversations held in private. And so, pop goes free speech again.

The verdict doesn't mean we have fascism already in the United States. Curbing free speech now and then is an old American custom. It breaks out whenever the ruling class gets worried about something or other.

Our interest in this case doesn't mean we agree with the victims of this particular miscarriage of capitalist justice in their views of the struggle between capital and labor. We stick to industrial unionism, while they promote one of the many brands of so-called communist politics. BUT WE SEE EYE TO EYE WITH THEM AND WITH OTHER LIBERTY - LOVING PEOPLE ON THE QUESTION OF CIVIL RIGHTS, THE RIGHT TO HAVE OPINIONS AND TO EXPRESS THEM, WHETHER THOSE OPINIONS PLEASE THE BIG SHOTS OF FINANCE AND INDUSTRY OR NOT.

As we go to press, sentence has not as yet been pronounced. Naturally, there will be an appeal to a higher court.

The Minneapolis Trial

(From the December 6, 1941, issue of THE NEW LEADER, organ of the Social Democratic Federation.)

In the Minneapolis trial of the Trotskyites, Attnor General Biddle has stumbled into one of the worst blunders which a democratic administration could commit at a time like this. The whole thing is so out of proportion that in ordinary times the nation would simply hoot at it. We have had here the mighty legal guns of the federal Department of Justice trained on one of the smallest, the most conventional, the most harmless of "revolutionary" splinter groups....

An especially dangerous aspect of the conviction of the Minneapolis defendants is their being indicted and convicted under the provisions of the Smith Act, passed in 1940. Most of the alleged conspiracy was created, according to government charges, before 1940. It is a

shameful waste of space to argue the question.... Our condemnation of the fantastic proceedings at Minneapolis is unqualified, and we support to the full the move to appeal the decision.

Whatever Trotskyist theory may have been in relation to U. S. armed forces, their only so-called overt act had nothing to do with the charge under which they were convicted. As usual in these cases, the prosecution relied on flag waving and on scaring the jury half to death with passages from general Leninist literature torn from their context and dating back for decades. That a handful of Trotskyists constituted any real threat to the armed forces of the U. S. so outrages common sense that it would be waste of space to argue the question.... Our condemnation of the fantastic proceedings at Minneapolis is unqualified, and we support to the full the move to appeal the decision.

In Great Britain

Laborites Support Defendants Here

Independent Labour Party Says Defense of Minnesota Victims Is Linked with Fight Against Hitlerism

The Minneapolis prosecution against the leaders of Local 544-CIO and the Socialist Workers Party has not passed unnoticed in the working-class press of England, as is shown by the article on the Minneapolis "sedition" trial appearing in the October 25th issue of the London NEW LEADER, just arrived.

Entitled "Class Struggle in America," the article points out that "In America the war situation has been used as a pretext" by the employers and the Roosevelt administration to suppress the working class.

The NEW LEADER is the paper of the Independent Labour Party of Great Britain, a socialist group following principles similar to those of the Norman Thomas organization in the United States.

Below are reprinted excerpts from the NEW LEADER story on the Minneapolis trial:

"Unnoticed to date in the Press of this country, the indictment by a federal grand jury of 29 CIO leaders and Socialist Workers Party members on a charge of 'sedition conspiracy' has aroused a storm of protest throughout the U. S. Labour Movement. This is the first case on record under the anti-labour Smith Act of 1940, and if successful, presages a general assault upon workers' democratic rights in America.... Bosses Want to Make Hay

"In America the war situation has been used as a pretext for the employment of soldiers as strikebreakers. The employers are desperately anxious to stem the tide of working-class militancy expressed in the tremendous growth of the Committee for Industrial Organization. The CIO seeks to

fateful move when persons are convicted on a virtual ex-post facto basis.

Eighteen out of twenty-three under indictment were convicted of conspiracy to create insubordination in the armed forces of this country. The fact that the jury debated for forty hours before taking the first ballot is sufficient to show that the minds of those who heard all the evidence were beset by doubts. The jurymen probably felt under compulsion to return a verdict of guilty as a proof of their loyalty.

The Communist Party played a thoroughly disreputable part in the whole affair, and demonstrated once again how thin is its pretense of interest in civil liberties. Robert Minor, the present leader of the party, took the trouble to visit Minneapolis and do what he could to put the members of the dissident Communist group behind bars.

Such an application of the Smith Act and of the 1861 Sedition Act turns them into a threat to civil liberties. Such stretching of legal language as was indulged in at Minneapolis could put any critic of the government in jail. Fortunately, the case will be appealed, and the Supreme Court may be called upon to give the final verdict. In the meantime, all Americans who love liberty—and this does not, apparently, include the Communists—must be vividly aware of what is happening.

The Minneapolis Case

(From the December 13, 1941, issue of THE CALL, organ of the Socialist Party.)

The conviction of 18 Trotskyists on charges of conspiracy to create insubordination in the armed forces of the government is a reflection of the hysteria of our time and a rank case of stupid and unjust persecution by the government of the United States.

When the Smith Alien and Sedition Law was passed, we foresaw such persecution and warned against it. It is significant that the prosecution did not obtain conviction under the old sedition laws, but under this more sweeping and loosely worded act stemming from this new crusade "to make the world safe for democracy" apparently by denying it to our citizens at home.

Whatever Trotskyist theory may have been in relation to U. S. armed forces, their only so-called overt act had nothing to do with the charge under which they were convicted. As usual in these cases, the prosecution relied on flag waving and on scaring the jury half to death with passages from general Leninist literature torn from their context and dating back for decades. That a handful of Trotskyists constituted any real threat to the armed forces of the U. S. so outrages common sense that it would be waste of space to argue the question.... Our condemnation of the fantastic proceedings at Minneapolis is unqualified, and we support to the full the move to appeal the decision.

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Two-Prong Attack

"The CIO leaders have been indicted not as trade unionists, but as members of a political party, the Socialist Workers Party. This Party has taken the lead in Minneapolis in trade union organization of the workers, and has also attempted to give this industrial struggle a political direction. That their efforts have not been without a measure of success was shown in the recent Senate election, where the SWP candidate polled more than the combined vote of the Communist Party and the Norman Thomas Socialist Party.

The prosecution of the SWP has therefore a two-fold purpose: to deprive the workers of revolution, to assist their American brother workers in the fight for freedom of speech. Let the international working-class solidarity manifested in the case of Big Bill Haywood and Vincent St. John, in the frame-ups against Sacco and Vanzetti and Tom Mooney, be shown again. The price of liberty is eternal vigilance."

Unnoticed to date in the Press of this country, the indictment by a federal grand jury of 29 CIO leaders and Socialist Workers Party members on a charge of 'sedition conspiracy' has aroused a storm of protest throughout the U. S. Labour Movement. This is the first case on record under the anti-labour Smith Act of 1940, and if successful, presages a general assault upon workers' democratic rights in America.... Bosses Want to Make Hay

"The employers want to take advantage of the war situation both economically and politically. The Roosevelt Administration, representing the employing class, wants to deprive the workers of revolutionary political leadership and to check the growth of militant trade unionism.

"The National CIO fully recognises this threat to the trade union movement.... That this case has aroused nation-wide indignation and agitation is indicated also by the attitude of the American Civil Liberties Union, and such well-known journals as THE NATION and the NEW REPUBLIC.

"It is the bounden duty of every

"The battle between the AFL and the CIO is not a mere inter-union dispute, as some people claim. It is essentially a conflict of two absolutely opposed tendencies: the AFL for class-collaboration, the CIO for class-struggle. The workers' disgust at the policy of the AFL recently expressed itself very plainly in Minneapolis, where by a vote of 4,000 members, the Motor Transport and Allied Workers Union Local 644 decided

Chrysler Local 230 Supports Defendants, Condemns Prosecution

"We assure you of our Local's support," John Allard, recording secretary of Chrysler Local 230 of the United Auto Workers, wrote Kelly Postal, secretary-treasurer of Local 544-CIO, last week.

Allard enclosed a resolution adopted by the Chrysler Local protesting the Department of Justice intervention on behalf of Tobin in his fight on the Minneapolis drivers.

The text of Local 230's resolution follows:

WHEREAS: Minneapolis Local 544-CIO Motor Transport Workers Union, which is the spear head of the transport workers movement of the Northwest, transferred its affiliation by almost unanimous vote from the AFL Teamsters International into the CIO to free itself from the dictatorial, racketeer, craft-union setup of Daniel Tobin, and

WHEREAS: CIO president Phillip Murray and other national officers have welcomed this militant, progressive union into the CIO as the start of a nation-wide drive to bring democratic industrial unionism to the American motor transport workers, and

WHEREAS: Daniel Tobin in his campaign of terror against the Minneapolis motor transport workers has been aided by the Department of Justice, which has secured the indictment on 'sedition conspiracy' charges of 28 individuals including the entire leadership of 544-CIO as well as members of the Socialist Workers Party, and

WHEREAS: The CIO, Labor's Non-Partisan League, the United Auto Workers, the American Civil Liberties Union and other labor and liberal organizations have condemned the government prosecution as a serious threat to civil liberties and labor's rights, and

WHEREAS: Ignoring these protests, the Department of Justice is putting these men on trial in Minneapolis on October 20th, he it

RESOLVED: That our organization protest against this attempt to deprive the Minneapolis motor transport workers of their democratic rights to join the union of their choice, and we condemn the use of Government agencies to oppress and harass any labor or political organization in the pursuit of their activities, and he it further

RESOLVED: That we call upon the Department of Justice to dismiss the indictments against the 28 defendants in the Minnesota case, and be it finally

RESOLVED: That copies of this resolution be sent to the newspapers and labor press, the National CIO office, Local 544-CIO and Attorney-General Francis Biddle.

CONCURRED IN: Chrysler Local 230.

Longshoremen Give \$50 to Defense Fund

SAN PEDRO, CALIF.—"We

endorse the work of the CIVIL RIGHTS DEFENSE COMMITTEE, the authorized representative of the Minneapolis defendants, and donate \$50.00 to its Defense Fund," Local 1-13 of the International Longshoremen's and Warehousemen's Union voted at its meeting November 27th.

The meeting adopted a resolution criticizing the Department of Justice for ignoring the protests of the CIO, Labor's Non-Partisan League, and the American Civil Liberties Union and putting the leadership of 544-CIO and the Socialist Workers Party on trial.

"Our organization protests against this attempt to deprive the Minneapolis motor transport workers of their democratic rights to join the union of their choice, and we

Goldman Analyzes Tobin's Committee of 99 for the Jury

Defense Attorney Explains Union Struggle Between Minneapolis Drivers and Tobin That Underlies Trial

In his concluding remarks to the jury, Chief Defense Counsel Albert Goldman analyzed at length the testimony of the members of Tobin's "Committee of 99," and the role of the FBI in aiding the work of the "Committee of 99." Below we publish excerpts from Goldman's summary to the jury.

Mr. Goldman's 10-hour speech for the defense will shortly be available in pamphlet form. Copies can be obtained through branches of the Civil Rights Defense Committee in all principal cities, or through the national office of the Defense Committee, Room 809, 160 Fifth Avenue, New York City.

Ladies and gentlemen, by this time you know enough about our theory to understand that it is difficult for me to speak with bitterness against any individual. By and large we hold that social conditions are responsible for the character of an individual and for me as a Marxist, it is almost impossible to be bitter towards a government witness regardless of the depths of perjury which he reaches. That does not, of course, prevent me from pointing out the false testimony which the government witnesses gave.

Yesterday I think I mentioned that society, as at present constituted, is characterized by struggle, from the struggle between imperialist cliques for colonies and spheres of influence, to the struggle of poor people for bread and butter. Most of the important government witnesses—I am speaking now about those witnesses whose names I enumerated and who are directly or indirectly connected with the present administration in 544—are helpless people who were motivated by a desire to get jobs in the local and they could only do so if the defendants, who were connected with the local, were pushed out of their positions.

Most of these people knew nothing about the program, with the exception, of course, that they knew that we advocated the armed overthrow of the Government. I mentioned before that these people never remembered the subject of a single pamphlet or discussion, never remembered the contents of a single pamphlet but always remembered that the defendants advocated the violent overthrow of the Government. Mr. Eugene Williams, for instance, on direct examination remembered that Farrell Dobbs advocated the armed overthrow of the Government. On cross-examination he forgot that it was Farrell Dobbs and said that it was Felix Morrow, but still he remembered that no matter who it was, the speaker advocated the armed overthrow of the Government. Here I want to mention a very significant factor about the testimony of the Government witnesses. The first witness who testified after Bartlett, had made out an affidavit which was published in the Minnesota Teamster, the organ of 544-AFL. On cross-examination it was evident that he had forgotten everything he had written in the affidavit. He testified that he read the affidavit when he signed it and that he knew at that time that it was true. The contradictions between his testimony on the witness stand and his statements in the affidavit were indeed glaring.

Did you note that all the witnesses who came after did not contradict themselves so badly? They were all in court listening to the first witness. Mr. Bartlett was also in court and I believe I am safe in saying that Mr. Bartlett had charge of coaching the witnesses. After the first witness tangled himself up badly, the other witnesses took the trouble of reading their affidavits and it was more difficult for me to tangle them up on this point.

Another significant point. A great many of the witnesses claimed that Vincent Ray Dunne, who is more or less of a chief devil in this picture, discussed with them the question of what our party wanted to do after the passing of the Selective Service Act. All of them, with the exception of one, testified that they had conversations with Dunne about this matter long after they were out of the party, even after, according to their claim, they had fought with some party members.

It looked peculiar, did it not, that Dunne, who you will all agree is a highly intelligent person, should talk to people who were no longer members of the party and who were enemies of the party, about such delicate questions as inciting insurrection in the army. I think the jury must have seen the absurdity of that testimony.

TOBIN WITNESSES ARE PERJURERS

Then something occurred which gave the whole show away. Sidney Brennan got on the stand and testified of course that he also had a conversation with V. R. Dunne, subsequent to the passing of the Selective Service Act, in which conversation Dunne told him that the party was trying to stir up trouble in the army. By that time the witnesses knew that the Selective Service Act of 1940 was passed in 1940—you remember the difficulties that Bartlett got into about that little point? Mr. Schweinhaut asked Brennan the following question: "Were you on good terms with Mr. Dunne at the time of the conversation?" and Mr. Brennan obediently answered in the affirmative. It was so glaringly obvious that Bartlett or someone else realized the absurdity of the claim that Dunne spoke to these people after they had ceased to be members and after they had ceased to be on good terms with him. It was therefore necessary to show that Brennan was still on good terms with V. R. Dunne. A minor point but very significant!

Another piece of testimony that shows how much perjury the Government witnesses really committed, dealt with the question of the payment by the Executive Board of the union of Emil Hansen's weekly salary at the time he was acting as a guard for Leon Trotsky. This evidence, of course, could not possibly help the jury arrive at a decision as to whether or not the Socialist Workers Party conspired to overthrow the Government by force and violence but I presume it was necessary for Mr. Anderson to show that Mr. Hansen received his weekly wages from the Executive Board at the time he was a guard for Leon Trotsky. That might have some effect on the jury but somebody had forgotten to coach Miss Hanifan, the bookkeeper of Local 544-AFL, and when I asked her: "Did you issue checks at the time Mr. Hansen was in Mexico?" she answered, "No." This, of course, came from a government witness and now I suppose the Government will be forced to contend that Mr. Hansen was paid out of the cash box.

In and by itself a minor point like this is not worth much but when you take all the little and big falsehoods testified to by the government witnesses, you have before you a case based on witnesses whose testimony indicated one thing, and one thing only—they were not afraid of a possible prosecution for perjury.

REAL MOTIVES OF TOBIN MEN

Yesterday I argued that even if you would consider the witnesses for the Government as absolutely honest, having the best intentions in the world to tell the truth as they saw it, you should disregard their testimony concerning statements allegedly made by the defendants two or three years ago because you have far more reliable—that is documentary evidence—to base your decision on. But you are not confronted with honest witnesses. On the contrary, you are confronted by witnesses who are now officially connected with Local 544-AFL—some of them paid organizers, most of them having taken the positions of the men who are now on the prisoners' dock—who were opposed to and

fought the leadership of the defendants in 544 and whose testimony is shot through with falsehoods and perjury. There is nothing else for you to do but to give no credence whatever to this testimony. You should disregard it completely.

Mr. Anderson made much of the fact that most of the testimony of these witnesses stood uncontradicted and undenied. This is a common trick used by lawyers. If a witness for one side makes 500 statements and the witness for the other side denies only 450 of them; then the other 50, undenied, prove the case. Suppose even I had put all the defendants on the stand and all the defendants had denied all the statements which the Government witnesses claimed they had made, wherein would that be of any help to you?

In this case, ladies and gentlemen, we are confronted with this situation: Either our program and our documents advocate the armed overthrow of the Government by force and violence, in which case we are guilty; or else they do not advocate such a doctrine, in which case we are not guilty. The individual statements alleged to have been made by defendants a year or two or three years ago, have no meaning whatever. The question of what statements were made by the defendants should play no role. I do not try cases simply by denying statements attributed to defendants. I prefer to get to the very heart of the issue.

The charge in this case is conspiracy to overthrow the Gov-

FBI ACTIVE IN COMMITTEE OF 99 WHICH FOUGHT DEFENDANTS

With great difficulty I succeeded in presenting the true motives of the Government witnesses. It was the situation in the Minneapolis Brewery that gave the jury a clue as to their real motives. I do not intend to examine the evidence on that point in detail. You remember what the situation was there, the struggle between the Executive Board of the Local composed largely of the defendants on one hand, and Holstein, Eugene Williams, Al Williams and Buckingham, Government witnesses, on the other hand. You realized from the testimony of the Government witnesses themselves that these people were participating in a racket. The Government witness, Bixby, who worked in the market, was in the same boat. When I asked him whether, contrary to the orders of the Executive Board, he stopped farmers' trucks from coming into the market, he tried to excuse himself by saying that he stopped only the "wildest" operators. It was a great racket for these witnesses until the Executive Board of Local 544 stepped in and compelled them to give up their racket of charging several small distributors,

UNION MEMBERSHIP WOULD NEVER ELECT TOBIN MEN TO OFFICE

MR. SCHWEINHAUT: That is absolutely not true, if your Honor please.

THE COURT: I don't think that is appropriate argument, Mr. Goldman; I don't think it is appropriate argument in the face of the state of this record, and I don't think you should pursue it.

MR. GOLDMAN: The Committee of 99 could not convince the members of Local 544 through argument. Is that in the record? Witness after witness testified that they had a chance to run opposition candidates. That is in the record. Members of the Committee of 99 testified here one after another, to this effect.

"Under whose leadership was Local 544 organized?" I asked some of the Government witnesses. The perjurers could not get away from the truth. They had to admit that the Dunes, Dobbs, Carl Skoglund, Harry DeBoer and everyone else who is a defendant and connected with Local 544 and now under threat of being deprived of their liberties built the union. From a membership of 200, the defendants raised the Local to 5,500 or 6,000. Do you think any of the Government witnesses were capable of creating this powerful union that exerted tremendous influence throughout the Northwest area? Who built the Over-the-Road Committee? Farrell Dobbs. And these Government witnesses, members of the Committee of 99, some of them unfortunate half-wits, are now in the offices that the defendants had prior to the appointment of the Receiver.

"Were you elected to office?" I asked Sidney Brennan, who testified that he is now Secretary-Treasurer of 544-AFL "No," he answered.

"Who appointed you?" "Neal," was the answer.

"You mean the Receiver for Tobin?" "Yes," was the answer.

It is in evidence that the Executive Board did not permit

WHY WAS PROSECUTION STARTED IN MINNEAPOLIS?

Since January, 1938, when the party was organized, we have been issuing a weekly paper, a monthly magazine and many pamphlets. I am sure that our all-powerful Federal Bureau of Investigation must have been aware of facts known to many thousands of people. It was not, however, until July, 1941, that the Federal Government caught up with the conspirators. On June 9, 1941, the members of 544 decided to disaffiliate from the American Federation of Labor and join the CIO. A little over a month after that the indictment in this case was voted. Is it a mere coincidence—that is what the Government claims, but it is certainly a very peculiar coincidence—and why, pray, was the prosecution started in Minneapolis? The headquarters are in New York. The real conspirators are there but the indictment was voted in Minneapolis and the Government brought four of us from New York in order to cover up its real motives.

Can it be because a Union Defense Guard was organized in Minneapolis? In New York the party organized a Workers Defense Guard which actually fought with the fascists and bundists on the streets. The conclusion is inevitable: That the indictment was brought in Minneapolis where the activities of the leadership of Local 544 incurred the enmity of powerful persons with influence in Washington, especially the enmity of one person whose name I am not permitted to mention.

Grace Carlson was a candidate for senator in the fall of 1940. She spoke on the same platform with candidates from other parties. She spoke over the radio. Everyone heard her and not a single complaint was registered. Could it be presumed that the FBI and the whole Government were asleep? No, that is not the explanation. The indictment came after the decision of 544 to secede from the International Teamsters Union.

MR. SCHWEINHAUT: Are you willing to have me tell why it was brought up, Mr. Goldman?

MR. GOLDMAN: Sure, try to explain it. Get up on the witness stand and testify if you want to, or explain it without testimony, for all I care. You cannot convince reasonable people, or fair-minded people, who know that for 3½ years the party carried on its activities openly and with its headquarters in New York, that there is any other explanation for bringing the prosecution in Minneapolis and at this time, except, as a result of the fight in Local 544.

Some evidence was introduced here which I will not analyze in detail but which I want to mention only because they were introduced for the obvious purpose of prejudicing the jury. Take, for instance, the testimony that the party instructed members to deny membership when on the witness stand. The

government by force and violence. Was there or was there not such a conspiracy? The Government has introduced more than 150 exhibits consisting of articles, pamphlets and official declarations. Let the jurors determine their decision by those and not by isolated statements alleged to have been made by some of the defendants two or three years ago. If my case depended upon denying the testimony of the Government witnesses, I would be in a precarious situation, indeed! I must state frankly that in my opinion it would be impossible to get a fair trial from jurors who paid any attention to the testimony of the Government witnesses concerning statements alleged to have been made by the defendants long ago.

The witnesses on behalf of the Government organized a Committee of 99 to fight Socialism in Local 544. That is what they claim. There was quite a famous man in England several centuries ago by the name of Sam Johnson and he coined a phrase which has become quite current: "Patriotism is the last refuge of a scoundrel" and if ever this phrase applied, it does so in the case of the witnesses for the Government. These perjurers wrapped themselves in the American flag, not because they cared a tinker's damn about patriotism, but because in this way they think they can succeed in gaining a victory over the defendants. Their real motive was not to fight socialism but to earn a few more dollars and get positions to which they could not be elected.

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The Government witnesses told the truth in some things. Mr. Novack didn't lie when he said he was a member of a "negotiating" squad. This is what is called a euphemism—it hides the real character of his activities which consisted of being a member of a goon squad. Mr. Bartlett didn't lie when he claimed that he had a conversation with Mr. Dunne on December 23, 1940. Fairly clever liars always build up a mountain of falsehoods on a grain of truth.

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The Bill of Rights—Who Won It And Who Defends It?

The Civil Liberties Listed in the Constitution Were Demanded by the Masses and Won Over the Opposition of the Wealthy Who Drafted the Constitution—The Bill of Rights Has Been Violated Many Times by the Employers and the Courts in Their Fight Against Labor—Our Rights Are Safe Only When We Are Organized to Defend Them

President Roosevelt has proclaimed Monday, December 15th, as Bill of Rights Day. The Bill of Rights, the first ten amendments to the Constitution of the United States, is that section of the Constitution dedicated to human rights, as distinguished from the rest of the Constitution which was designed to protect property rights.

In his proclamation, Roosevelt names December 15th "as a day of remembrance of the democratic and peaceful action by which these rights were gained."

A study of the origin and history of the Bill of Rights shows that these rights were by no means won or defended by "peaceful action."

The very possibility of winning the Bill of Rights was unthinkable without the progressive war of liberation fought by the American colonists against England.

Thanks to the research of such historians as Charles A. Beard, it is now known that the Constitution was most undemocratically drafted by the wealthy interests of the country, that only a fraction of the American people were permitted to vote on the Constitution, and that the Constitution would never have been accepted had not the common people insisted on in-

clusion of the Bill of Rights.

Constitution Drafted by Rich

The historian, Beard, summarizes his work on "An Economic Interpretation of the Constitution of the United States," as follows:

"The movement for the Constitution was originated and carried through principally by four groups of personality interests which had been adversely affected under the Articles of Confederation: money, public securities, manufactures, and trade and shipping.

"The first firm steps toward the formation of the Constitution were taken by a small and active group of men—immediately interested through their personal possessions in the outcome of their labors.

"No popular vote was taken directly or indirectly on the proposition to call the Convention which drafted the Constitution.

"The propertyless masses under the prevailing suffrage qualifications were excluded at the outset from participation (through representation) in the work of framing the Constitution.

"The members of the Philadelphia Convention which drafted the Constitution were, with a few exceptions, immediately, directly, and personally interested in and derived economic advantages from the establishment of the new system.

Rights of Property Placed First

"The Constitution was essentially an economic document based upon the concept that the fundamental private rights of property are anterior to government and morally beyond reach of popular majorities.

"The major portion of the members of the Convention are on record as recognizing the claim of property to a special and defensive position in the Constitution.

"In the ratification of the Constitution, about three-fourths of the adult males failed to vote on the question . . .

"The Constitution was ratified by a vote of probably not more than one-sixth of the adult males.

"It is questionable whether a majority of the voters participating in the elections for the state conventions in New York, Massachusetts, New Hampshire, Virginia and South Carolina, actually approved the ratification of the Constitution. . . .

"In the ratification, it became manifest that the line of cleavage for and against the Constitution was between substantial personality interest on the one hand and the small farming and debtor interests on the other. . . ."

By force and fraud the Federalists (the reactionaries of their day) drafted the Constitution and got several states to ratify it. The propertyless masses of the country, however, bitterly opposed the Constitution. Only by promising to include a Bill of Rights in the document did the Federalists make progress.

Finally eleven of the thirteen states had adopted it. The Federalists sought to renege on the Bill of Rights but provoked a storm of disapproval. Rhode Island and North Carolina refused to subscribe to the Constitution until it included a Bill of Rights.

The Federalists continue to postpone action. Popular feeling ran high. In Carlisle, Pennsylvania, an army officer was mobbed almost to death. Federalist printshops were broken into by a populace demanding that civil liberties be included in the Constitution.

State conventions met and proposed no less than 131 amendments to the Constitution. Madison studied these amendments, sifted them down to 17. The Senate pared them to 12. They were submitted to the states and the first ten were ratified as the Bill of Rights.

The Price of Liberty

Because the Bill of Rights is written in the Constitution is of course no sign that the people automatically are assured of those rights.

Time after time, in thousands of cases and most particularly in labor cases, the Bill of Rights has been violated by the courts, the employers and the government.

Free speech and free press for unionists and socialists have often been denied, especially in times of war. The freedom of workers to assemble has often been violently denied.

Homes of strikers have often been broken into unlawfully. Union leaders have been twice tried for the same offense.

Property of unions has been taken without due process of law by vigilantes. Impartial juries have been denied unionists and Negroes.

Excessive bail (such as the \$25,000 originally asked of Carl

The Bill of Rights

Here It Is

The BILL OF RIGHTS, consisting of the first ten amendments to the Constitution of the United States, was demanded by the people to protect the civil liberties and rights of the people. The BILL became effective December 15, 1791.

Though the BILL OF RIGHTS has often been violated, especially against the labor movement, the rights the BILL would uphold and defend are rights which are precious to all labor.

Here is the BILL OF RIGHTS:

Article I: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or shall the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

Article II: A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

Article III: No soldier, shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

Article IV: The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article V: No person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Article VI: In all criminal prosecutions, the accused shall enjoy the right of a speedy trial, by an impartial jury of the State and district wherein the crime shall have been committed, which districts shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Article VII: In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise examined in any court of the United States than according to the rules of common law.

Article VIII: Excessive bail should not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

Article IX: The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Article X: The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

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Business Manager DANIEL BURKE Editor MILES B. DUNNE

FLASHES from the Courtroom

Highlights in the Minneapolis "Sedition" Trial

For the last time, the defendants in the Minneapolis "sedition" case filed into the courtroom Monday, to receive sentences from Federal Judge Mathew M. Joyce.

Though only 18 of the original 29 defendants were found guilty, those defendants freed earlier by the court and jury were on hand to demonstrate their solidarity with the convicted. The 18 occupied the same seats in the prisoners' dock in which they had sat during the long five weeks of the trial.

* * *

The actual sentencing took but three minutes. One by one, led by V. R. Dunne, the defendants stood, walked up to the judge, heard their sentence, and resumed their seats.

* * *

"I sentence you, Vincent R.

Dunne, to a term of 16 months in a place of confinement to be determined by the Attorney General of the United States," Judge Joyce told the first defendant to be sentenced.

The defendants then filed out and went directly to their commissary at 919 Marquette avenue for a meeting with attorneys to complete arrangements for the appeal.

* * *

The first twelve defendants received 16 months. The remaining six received sentences of one year and one day.

Chief Defense Counsel Albert Goldman notified the court that an appeal will be taken in all cases.

To astormaster Farrell Dobbs, on behalf of the defendants, gave deep thanks to the kitchen crew who throughout the trial served up such splendid meals to those on trial. Mrs. Downie Skoglund, Mrs. Inez Hansen, Mrs. Goldie Goldman, Mrs. Evelyn Rainbolt and other wives, daughters and friends of the defendants did a wonderful job in preparing tasty meals, day after day, for those in court. All told, no less than 4,620 meals were served. Much of the food was donated by friendly local restaurants and merchants, and by farmers in nearby counties.

I believe this amounts to one of the finest examples of working-class solidarity shown.

Within eight hours of the sentencing, legal documents for the appeal to the Circuit Court of Appeals were ready and signed. Friday they were filed in federal court by defense attorneys. Pending the appeal, all defendants will be free

on bail bonds previously posted. The reference is to the dubious constitutionality of the Smith Omnibus Gas Law.

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* * *

Mondays night, at their last meal together in the defense commissary maintained throughout the trial by the CIVIL RIGHTS DEFENSE COMMITTEE, defendants were tendered a real banquet.

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hit San Francisco instead. And in the face of very little work and an extremely low treasury, they still find the Minneapolis case worthy of a 25 cent assessment per member. Also, they passed unanimously the same resolution that was passed by the CIO Council in San Francisco supporting the defendants.

* * *

The stalwart unionists of Local 1-29 of the Longshoremen certainly merit honorable mention for their heart-warming demonstration of union solidarity. We will remember.

* * *

Throughout the trial the Civil Rights Defense Committee sent out regular Information Bulletins from Minneapolis to labor and liberal organizations and individuals throughout the nation. Following the sentencing Monday, the 24th and last Bulletin was mailed from Minneapolis. Henceforth Information Bulletins on the case will be mailed from the New York office of the Civil Rights Defense Committee, 160 Fifth Avenue.

* * *

The Civil Rights Defense Committee has issued a new leaflet on the case, "Workers on Trial," telling the life stories of the 23 defendants.

on the proposition that our program, if rightly interpreted and correctly construed, does not and cannot mean that we are guilty of this kind of a conspiracy.

V. R. Dunne Talks Sunday On Verdict

Vincent R. Dunne, one of the defendants convicted in the "sedition" trial, will discuss "The Meaning of the Verdict" at the regular Sunday Forum December 14th, 3 p.m., at 919 Marquette.

Discussion and refreshments will follow the talk. The meeting is open to the public.

Jury Learns

(Continued from page 3)

of the procession telling the masses to proceed in a certain direction and to struggle for a larger share of the things that they create. And these men who have led the procession have had to pay for it—the prophets, Christ, Marx, Lenin, Trotsky—these are the men who fought for a new world and against them have always been arrayed the powers that be, the priests and Pharisees.

When Pilate said, "I found no fault in this man," the priests became more furious and said, "He stirreth up the people throughout all Judea."

"He stirreth up the people"—almost the exact words that Mr. Anderson used against us when he said we stir up the people. And we cannot deny, I presume, that we tried to stir up the people. We try to bring them a message of hope that a new world is possible and can easily be created if only they take their fate into their own hands, a new world where war and destruction will be unknown. But as I have indicated to you, all our stirrings, all our messages, will be in vain unless we are correct in our general analysis, unless we are correct in our theory that the social system has reached a point of decline where no road other than the road to socialism will lead mankind into a peaceful world. All our pamphlets, all our papers, all our speeches will be for naught unless we are correct in our fundamental theory, and if we are correct in our fundamental theory, all the efforts of the prosecution to silence our voice will not avail them.

The prosecutors, and those that give them orders, do not understand that to thwart our agitation it is only necessary for them to solve the problems of mankind. Do they think that by silencing the voices of a few agitators they can satisfy the people who will suffer the agonies of war and hunger that will come with economic dislocation after the war? In our place there will be thousands and tens of thousands who will follow our ideas.

Mr. Anderson, in his opening speech, referred to the attempts of the defendants to destroy organized society. I think I mentioned that fact before but I cannot help repeating it. It was such an odd characterization of the present social order.

Imagine calling a society "organized" that permits poverty in the midst of plenty, that permits the spiritual and physical violence that exists throughout the universe! Chaos and destruction and death are not characteristics of an "organized" society.

The strength of our ideas lies in the very fact that we are living in a thoroughly unorganized society. The strength of our ideas lies in the fact that our general predictions, based upon the laws operating in society, inevitably come true. At the beginning of the first World War we said that it would not solve any of the problems confronting the peoples. Who can deny that we were right? And now we say to the people of this country, "This war which your leaders claim is a war for democracy against fascism will not solve any of your problems because if the capitalist system is permitted to endure, the inevitable result will be fascism and more wars."

We base our activities upon a theory that has withstood the test of time and events. In the midst of a catastrophic war that will necessarily envelop the whole world, in the midst of the roar of cannons and the shrieking of shells, amidst the soot and the wailing of mothers, amidst tears and blood, we still have hopes that the people will come to accept the ideas of socialism. The darkness that surrounds us can be destroyed only by the sun of socialism.

Tobin's Role

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